

CIVIL NO. 1:06CV367

Defendant.

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The Court is presently engaged in a review of the parties' pleadings with regard to Plaintiff's motion for summary judgment, but it will be impossible for the Court to render a decision on the motion in time for the parties to adequately prepare for trial in September. A review of the trial terms for the remainder of the year has revealed that the Court is able to

peremptorily schedule the trial for a two-week term beginning December 1, 2008.

IT IS, THEREFORE, ORDERED that this matter is **CONTINUED** from the September 2008 trial term.

IT IS FURTHER ORDERED that the trial is peremptorily set to begin Monday, December 1, 2008, for a two week term in Asheville, North Carolina.

IT IS FURTHER ORDERED that counsel for the parties be present for a pretrial conference on Monday, November 24, 2008, at 2:00 PM, in the chambers of the undersigned in Asheville, North Carolina.

Signed: August 6, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

